

REMARKS

Claims 1-37 are pending in the application. Claims 1, 20 and 29 have been amended.

The Examiner's reconsideration of the rejections and objections is respectfully requested based on the above amendments and following remarks.

Drawing Objections

Fig. 5 has been amended to, e.g., remove one of the redundant "applications 63" boxes.

Withdrawal of the drawing objection is requested.

Specification Objections

The specification was objected to for the reasons set forth on pages 3-4 of the Office Action. The relevant portions of the specification have been amended as requested. Accordingly, withdrawal of the objections is requested.

Claim Rejections – 35 U.S.C. § 101

Claims 20-28 stand rejected as being directed to non-statutory subject matter. It is essentially contended in the Office Action that claim 20, for example, includes steps that "*can be performed in the mind of the user or by use of a pencil and paper*" and thus the "*method only constitutes an idea for executing a data-triggered process*".

Applicant respectfully traverses this rejection. In the proper context of the specification, the cited prior art, and that which is understood by one of ordinary skill in the art, the recited elements of claim 20 are clearly not directed to an "abstract idea" or mere mental process. In fact, the claimed step of *computing a recommended order in which scheduled activities can be enacted based on activity specifications and a current execution state of the process instance* includes language clearly indicative of steps being executed by a computer or an otherwise computer automated/ implemented process.

In any event, to eliminate any doubt, claim 20 has been amended to recite a computer-implemented process. Accordingly, withdrawal of the rejection is requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1-37 stand rejected as being unpatentable over the references Hollingsworth and the Workflow Management Coalition in view of U.S. Patent Application No. 2002/0055849 by Georgakopoulos for the reasons set forth on pages 6-11 of the Office Action. It is respectfully submitted that at the very least, the inventions of claims 1, 20 and 29 are patentable and non-obvious over the combination of cited references. For instance, the combination of references does not disclose or suggest, e.g., *determining which activities associated with the process instance are scheduled for enactment based on activity specification, and computing a recommended order in which scheduled activities can be enacted based on activity specifications and a current execution state of the process instance*, as essentially claimed.

On a fundamental level, the workflow processes disclosed by the Hollingsworth and Georgakopoulos references are based on state machines that rigorously control the order of execution. In stark contrast, the claimed processes are premised on rule-based systems that guide, rather than control, the order of execution. Hollingsworth and Georgakopoulos disclose process definitions in which the activity network edges specify “A triggers B” relationships, whereas in the claimed data-triggered process, the activity network edges specify “A is preferred before B”, where data conditions (process state) control whether B can be executed before or after A. More specifically, in proper context, the claim term “scheduled activity” refers to an activity that can be scheduled for execution based on a “schedule rule” that specifies the conditions that must be true for the activity to be scheduled for execution. In this regard, a set of scheduled activities may be determined, and an additional step is then performed to *compute a*

recommended order in which scheduled activities can be enacted based on activity specifications and a current execution state of the process instance.

On page 7 of the Office Action, the Examiner cites Hollingsworth as disclosing the claimed steps of “computing an order...” Irrespective of whether such interpretation is correct (which Applicant respectfully contends is not), Hollingsworth clearly does not disclose or suggest *computing a recommended order of scheduled activities*, as essentially claimed. Moreover, it is submitted that Examiner’s reliance on Georgakopoulos’ disclosure of a “placeholder activity” is misplaced. The explicitly stated purpose of the “placeholder activity” is “late binding” (see, e.g., paragraph [0016]). In contrast, data-triggered activities of the present invention accommodate “spontaneous” activities that occur outside an expected order of enactment. These concepts are remarkably distinct.

Accordingly, for at least the above reasons, claims 1, 20 and 27 are patentable and non-obvious over the combination of Hollingsworth, Workflow Management Coalition, and Georgakopoulos. Moreover, all pending dependent claims are patentable over the cited combination at least by virtue of their dependence from respective base claims 1, 20 and 27.

Applicants respectfully request favorable reconsideration of the application as now presented. The Examiner is invited to contact the undersigned should he have any questions in this matter.

Respectfully submitted,



Michele L. Conover

Reg. No. 34, 962

Attorney for Applicant

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830
(732) 321-3191

IN THE DRAWINGS:

Annexed hereto is a Replacement Sheet containing amended FIG. 5.